

REMARKS

Claims 1-4 and 6-14 are pending. Reconsideration and allowance based on the following remarks are respectfully requested.

Interview

Applicant appreciates the courtesies extended to Applicant's representative during the interview conducted on January 24, 2007. During the interview the present claim language was discussed in view of the enablement rejection. The Examiner stated that the claims as currently recited would be enabled and thus would withdraw the 35 U.S.C. 112, first paragraph rejection for lack of enablement.

Rejection under 35 U.S.C. 112

The Examiner rejects claims 1-4 and 6-14 under 35 U.S.C. 112, first paragraph as failing to comply with the enablement requirement. This rejection is respectfully traversed.

As stated above, the Examiner during the interview conducted on January 24, 2007 stated he would withdraw this rejection in view of the current recitation of the claims. Accordingly, withdrawal of the rejection is respectfully requested.

Prior Art Rejection

The Examiner rejects claims 1-4 and 6-14 under 35 U.S.C. 103(a) as being unpatentable over Buschhaus et al. (US 5,713,425 A) in view Criddle (U.S. 2004/0060754) in further view of Ishida et al. (US 5,705,865 A). This rejection is respectfully traversed.

Applicant notes that Criddle is not prior art. Criddle has an effective filing date of July 26, 2001 which is after the April 21, 2000 priority date of the present application. Thus, the above rejection is improper and withdrawal of the rejection is respectfully requested.

Although the above rejection is improper and it should be withdrawn applicant provides the following comments with regard to the other references Buschhaus and Ishida to help facilitate prosecution.

Buschhaus teaches a hybrid powertrain for an automotive vehicle. Buschhaus powertrain is concerned with the distribution of power between the combustion engine and the electric motor generator. Buschhaus does not teach or suggest means for cooling the combustion engine and the electric motor. The Examiner provides Ishida to teach a cooling system for an electric motor not taught or suggested in Buschhaus.

Applicant respectfully submits that Ishida teaches a low voltage electric motor that uses a fan for introducing air into the motor. The fan acts to blow air onto the coils of the electric motor. Applicant respectfully submits that the cooling fan of Ishida does not act as an air filter and the cooling fan is designed only for an electric motor, and thus not used in or part of a thermal engine. In the embodiments of the present invention, the air for cooling the electric motor part of the hybrid motor comes air filtered and used with a thermal engine. Some of the air from the air filter is directed to the electric motor while the rest of the air is directed to the thermal engine.

Applicant respectfully submits that the combination of Buschhaus and Ishida at best lead one of ordinary skill to include the fan of Ishida into the hybrid motor of Buschhaus in order to

provide a flow of air over the electric motor parts. The combination would not lead to directing airflow from an air filter, for providing filtered air to a thermal engine, to parts of the electric motor. Further, there is no suggestion of motivation within the references or by one of ordinary skill to combine the teachings of Buschhaus and Ishida to accomplish the claimed features.

Thus, in view of the above, Applicant respectfully submits that the combination of Buschhaus and Ishida fail to teach or suggest, the features of claims 1, 6 and 11.

CONCLUSION


For the above reasons, Applicant respectfully submit claims 1-4 and 6-14 are distinguishable over cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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